

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JONATHAN F. RAMOS,

Plaintiff,

vs.

VALMONT INDUSTRIES, INC.,
ANGIE WRIGHT, TIM KENNEDY, and
KEVIN STRUDTHOFF,

Defendants.

8:18CV313

**MEMORANDUM
AND ORDER**

This matter is before the court on Plaintiff's motion requesting an American Sign Language interpreter for future court dates and trial. ([Filing No. 13.](#))

The court is currently in the process of reviewing Plaintiff's Amended Complaint ([Filing No. 12](#)) to determine whether summary dismissal is appropriate under [28 U.S.C. § 1915\(e\)](#). No court dates have been set in this matter, nor will this matter even proceed to service of process until the court completes its review and determines that the Amended Complaint sets forth a plausible claim for relief.

It is apparent from the record and Plaintiff's own admissions that he has sufficient proficiency with the written English language to prepare any pleadings he may wish to file. Thus, Plaintiff has not shown that the failure to supply him with an interpreter at this juncture implicates any fundamental due process concerns. *See Herrera v. Zavares*, No. 09-cv-01229-MSK-KLM, 2010 WL 3853312, at *13 (D. Colo. Sept. 28, 2010) (“The appointment of an interpreter . . . by virtue of the Court’s inherent authority as a matter of due process, is a matter confined to the sound discretion of the Court, and the exercise of that discretion should focus on whether the failure to supply an interpreter makes the proceedings

‘fundamentally unfair.’”) Accordingly, his motion will be denied at this time as premature and without prejudice to reassertion.

IT IS THEREFORE ORDERED that: Plaintiff’s motion for an interpreter ([filing no. 13](#)) is denied without prejudice to reassertion should future court dates be set.

Dated this 27th day of September, 2019.

BY THE COURT:

s/ *Richard G. Kopf*
Senior United States District Judge